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FILED
U.S. DISTRICT COURT
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DISTRICT OF UTAH
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT, DISTRICT OF UTAH,
CENTRAL DIVISION

AMERITRADE INTERNATIONAL,
INC. a Utah Corporation and CRAIG D.
JONES, a Utah resident,

Plaintiffs,

vs.

HSN IMPROVEMENTS, LLC, an
Delaware Limited Liability Company,

Defendant.

STIPULATION AND JOINT MOTION

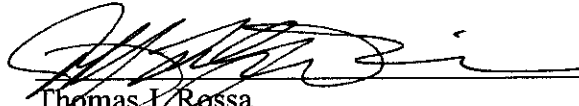
Civil No. 2:03CV00459 TS

Judge Ted B. Stewart

The parties to this action have fully and finally resolved this matter by a separate and confidential settlement agreement. Accordingly, the parties hereby agree and stipulate and jointly move that the above entitled matter shall be dismissed with prejudice.

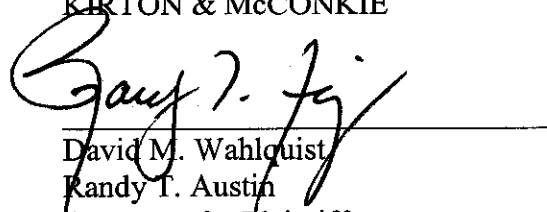
DATED this 18th day of August, 2005.

HOLME ROBERTS & OWEN

A handwritten signature in dark ink, appearing to read "Thomas J. Rossa", written over a horizontal line.

Thomas J. Rossa
Catherine L. Brabson
Jeffery M. Lillywhite
Attorneys for Defendant

KIRTON & McCONKIE

A handwritten signature in dark ink, appearing to read "David M. Wahlquist", written over a horizontal line.

David M. Wahlquist
Randy T. Austin
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August, 2005, I caused a true and correct copy of the foregoing **STIPULATION AND JOINT MOTION** to be mailed through United States mail, postage prepaid, to the following:

Thomas J. Rossa
Catherine L. Brabson
Jeffery M. Lillywhite
HOLME, ROBERTS & OWEN
299 South Main Street, Suite 1800
Salt Lake City, UT 84111-2263

Kapi Lorimer